

BILL NO. Z-75-08-13

ZONING MAP ORDINANCE NO. Z-12-75

AN ORDINANCE amending the City of Fort
Wayne Zoning Map No. AA-12

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated
a R3 district under the terms of Chapter 36, Municipal Code of the City of Fort
Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amend-
ments thereof; and the symbols of the City of Fort Wayne Zoning Map No. AA-12,
referred to therein, established by Section 9, Article III of said Chapter as
amended, are hereby changed accordingly, to-wit:

Lots 520 and 521 in Fairfield Terrace
Addition, Section "B" to the City of
Fort Wayne, Allen County, Indiana

SECTION 2. This Ordinance shall be in full force and effect from
and after its passage, approval by the Mayor and legal publication thereof.

Eugene Kraus
Councilman

APPROVED AS TO FORM
AND LEGALITY,

Phil B. Lee
CITY ATTORNEY

Read the first time in full and on motion by Kraus, seconded by Jalisco, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197____, at _____ o'clock P.M., E.S.T.

Date: _____

Charles W. Wytarski
CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. Passed (~~EST~~) by the following vote:

AYES 8, NAYS 0, ABSTAINED X, ABSENT # to-wit:

BURNS	<u>X</u>	_____	_____	_____
HINGA	<u>X</u>	_____	_____	_____
KRAUS	_____	_____	<u>1</u>	<u>X</u>
MOSES	<u>X</u>	_____	_____	_____
NUCKOLS	<u>X</u>	_____	_____	_____
SCHMIDT, D.	<u>X</u>	_____	_____	_____
SCHMIDT, V.	<u>X</u>	_____	_____	_____
STIER	<u>X</u>	_____	_____	_____
TALARICO	<u>X</u>	_____	_____	_____

DATE: _____

Charles W. Wytarski
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (Resolution) No. 3-12-75 on the 14th day of October, 1975.

ATTEST: (SEAL)

Charles W. Wytarski
CITY CLERK

James Stiller
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of October, 1975, at the hour of 11:00 o'clock A. M., E.S.T.

Charles W. Wytarski
CITY CLERK

Approved and signed by me this 16th day of October, 1975, at the hour of 10:00 o'clock A. M., E.S.T.

James Stiller
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 12, 1975, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-75-08-13; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

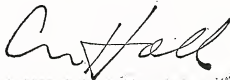
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 15, 1975;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 22, 1975.

Certified and signed this
29th day of September, 1975.



Charles N. Hall
Secretary

[Handwritten signature]

Bill No. Z-75-08-13

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
Amending the City of Fort Wayne Zoning Map No. AA-12

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance *[initials]* PASS.

Eugene Kraus, Jr. - Chairman

John Nuckols - Vice-Chairman

Vivian G. Schmidt

Paul M. Burns

Donald J. Schmidt

[Handwritten signatures: John Nuckols, Vivian G. Schmidt, Paul M. Burns, Donald J. Schmidt]
[Red stamp: D.D. Schmidt]

CONCURRED IN
DATE 10-14-75 CHARLES W. WESTERMAN, CITY CLERK

RECEIPT

GENERAL FUND

No 022

FT. WAYNE, IND.,

July 11 1925

RECEIVED FROM

Stone House

\$

50.00

THE SUM OF

Fifty dollars

DOLLARS

ON ACCOUNT OF

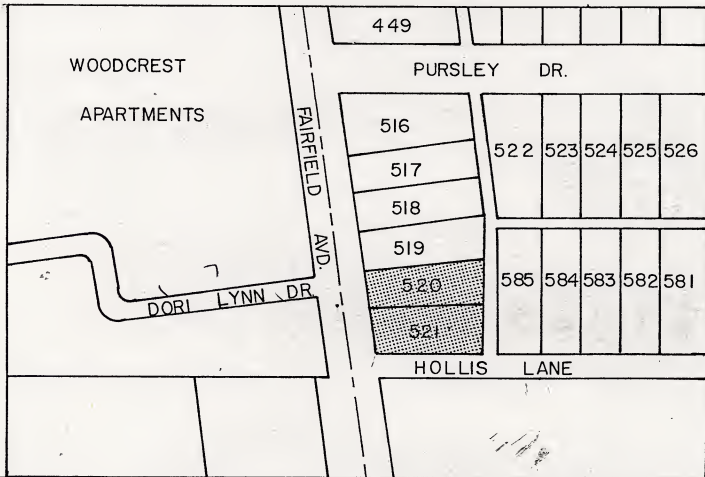
Reboring lot 520 \$521

100

Fairfield Terrace

N. Hartman

AUTHORIZED SIGNATURE



WOODCREST
APARTMENTS

449

PURSELEY DR.

FAIRFIELD
AVE.

516

517

518

519

520

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522

523

524

525

526

585

584

583

582

581

DORI LYNN DR.

HOLLIS LANE



TO BE CHANGED

"R1" to "R3"

Bill No. 2-75-08-13



7-17-75

AA-12

L.S.

2-75-08-13

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

TO: COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

Date Filed _____

Intended Use _____

I/We Eugene Kraus Jr.

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an R1 district to a/an R3 district the property described as follows:

Lots 520 and 521 in Fairfield Terrace Addition, Section "B" to the City of

Fort Wayne, Allen County, Indiana

(Legal Description)

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/we are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Eugene Kraus

805 Gettle Building

Fort Wayne, Indiana

Eugene Kraus Jr.

(Name)

(Address)

(Signature)

Legal Description Checked By: _____

(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

Eugene Kraus Jr.

(Name)

805 Gettle Building

(Address)

02

422-4796

(Telephone Number)

CITY PLAN COMMISSION, CITY-COUNTY BUILDING, Room # 880, ONE MAIN STREET, FORT WAYNE, INDIANA, 46802 Telephone Number: 423-7571

September 15, 1975

City Plan Commission

RE: Rezoning of Lot's # 520 & 521 in Fairfield Terrace Addition, Section " B "
from Residential 1 to Residential 3.

The Lincolnshire Community Association has reviewed the proposal of rezoning Lot's # 520 & 521, in Fairfield Terrace Addition, from Residential 1 to the newly proposed Residential 3 and has agreed that it will not oppose the rezoning, however in order to protect the neighboring residents we feel that the Plan Commission should give consideration that the following restrictions be applied.

1. That the proposed structure be limited to a One-Storey office type building.
2. That the architecture be comparable to what few businesses we have in the community and that it should not resemble a residence.
3. That the landscaping ~~also be~~ comparable to the businesses we have in the community.

Sincerely,
the Lincolnshire Community Association

Incoming President

Outgoing President

Kelvin Blackledge
Vicki H. Hayman

EUGENE KRAUS, JR., owner of lots #520 and #521 in Fairfield Terrace addition, in consideration of permission granted by the Common Council of the City of Fort Wayne with the approval of the Mayor to use said real as an R-3 district as defined in the zoning ordinance of the City of Fort Wayne hereby agrees with the City of Fort Wayne as follows:

1. Use of said real estate will be limited to a one story office type structure after receiving permission from the Board of Zoning appeals for a variance so that said structure will conform with the zoning ordinance.

2. That the structure will resemble an office building and not a residential structure.

3. That proper landscaping will be adhered to in accordance with the surrounding area.

4. That these restrictive covenants will be binding on myself and whoever buys said property from me.

5. Access from this property shall be from Hollis Lane only.

IN WITNESS WHEREOF, the undersigned has hereunto set its hand and seal this 22nd day of September, 1975.

BY

Eugene Kraus, Jr.
Eugene Kraus, Jr.

STATE OF INDIANA

COUNTY OF ALLEN

} SS:

Before me, a Notary Public in and for said County and State, this 22nd day of September, 1975, personally appeared Eugene Kraus, Jr., who acknowledged the execution of the foregoing agreement as his voluntary act and deed.

WITNESS my hand and notarial seal.

Janet Sue Stevens

Janet Sue Stevens

Notary Public

My Commission expires: July 1, 1978

DIGEST SHEET

TITLE OF ORDINANCE Zoning map amendment ordinance 3-75-08-13DEPARTMENT REQUESTING ORDINANCE COMMUNITY DEVELOPMENT AND PLANNING
Division of Long Range Planning & ZoningSYNOPSIS OF ORDINANCE Petitioners are requesting the rezoning of the
following described property: Lots # 520 and # 521 in Fairfield TerraceAddition, Section "B", generally located on the north-east corner of HollisLane and Fairfield Avenue.From "R1" to "R3"EFFECT OF PASSAGE Property is presently zoned "R1" - One Family Residential.Petitioners are requesting an "R3" District - Multiple Family Residential. An
office or studio may be permitted in an "R3" following approval by the Board ofZoning AppealsEFFECT OF NON-PASSAGE Property would remain an "R1"MONEY INVOLVED (Direct Costs, Expenditures, Savings) NoneASSIGNED TO COMMITTEE (J.N.) Regulation



CITY OF FORT WAYNE

FORT WAYNE, INDIANA

CHARLES W. WESTERMAN
CITY CLERK

October 21, 1975

Miss Lelen Libbing:

Miss Helen Libbing
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of October 23 and October 30, 1975, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana
Bill No. Z-75-08-13
Zoning Map Ordinance No. Z-12-75

Please send us five (5) copies of the Publisher's Affidavits from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman
City Clerk

CWW/ne
ENCL: 1

Common Council of Fort Wayne
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

81

2

83

COMPUTATION OF CHARGES

83 lines, 1 column wide equals 83 equivalent lines at .2884 cents per line

\$ 22.90

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

\$ 25.40

G COST

Single column 11 ems

Size of type 5 1/2 point

insertions 2

Size of quad upon which type is cast 5 1/2

and penalties of Ch. 89, Acts 1967,

The foregoing account is just and correct, that the amount claimed is legally due, after allowing all just part of the same has been paid.

V. E. Gerken

19 75

Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County

Personally appeared before me, a notary public in and for said county and state, the undersigned, V. E. Gerken

who, being duly sworn, says that, S he is Clerk

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two

the dates of publication being as follows:

10/23-30/75

Subscribed and sworn to before me this 30th day of October 19 75

V. E. Gerken

Harry O. ...

Notary Public

My commission expires September 28, 1979

Notice is hereby given that on the 14th day of October, 1975, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. 2-75-08-13 Z-12-75 Zoning Map Ordinance, to wit:

BILL NO. 2-75-08-13
ZONING MAP ORDINANCE
NO. 2-12-75

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. AA-17 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R3 district under the terms of Chapter 34, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 266 and amendments thereto; and the symbols of the City of Fort Wayne Zoning Map No. AA-17, referred to therein, established by Section 5, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots 520 and 521 in Fairfield Terrace Addition, Section "B" to the City of Fort Wayne, Allen County, Indiana

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

EUGENE KRAUSH

Councilman
Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. Passed by the following vote:
Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
Kraus

Dated: 10-14-75

CHARLES W. WESTERMAN,

City Clerk
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. 2-12-75 on the 14th day of October, 1975, at the hour of 11:00 o'clock A.M., E.S.T.

JAMES E. STIER,

Presiding Officer
CHARLES W. WESTERMAN,

City Clerk
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of October, 1975, at the hour of 11:00 o'clock A.M., E.S.T.

CHARLES W. WESTERMAN,

City Clerk
Approved and signed by me this 14th day of October, 1975, at the hour of 10:00 o'clock A.M., E.S.T.

IVAN A. LEBANOFF,

Mayor
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of the Zoning Map Ordinance No. 2-12-75 passed by the Common Council on the 14th day of October, 1975, and that said Ordinance was duly signed and approved by the Mayor on the 14th day of October, 1975 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 14th day of October, 1975.
CHARLES W. WESTERMAN,
City Clerk.

Common Council of Fort Wayne
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

81

2

83

COMPUTATION OF CHARGES

83 lines, 1 column wide equals 83 equivalent lines at .288¢ cents per line

\$ 23.90

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

\$ 25.40

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date October 30, 19 75

Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned V. E. Gerken who, being duly sworn, says

that he is Clerk of the

NEWS-SENTINEL

DAILY

a newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two

times, the dates of publication being

as follows:

10/23-30/75

Subscribed and sworn to before me this 30th day of October 19 75

My commission expires September 28, 1979

Notary Public

COPY OF
EMENT HERE

4-5

10-23-30

1. Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. 213-75 of the Common Council on the 14th day of October, 1975, and that said Ordinance was duly signed and approved by the Mayor on the 14th day of October, 1975 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 14th day of October, 1975.

CHARLES W. WESTERMAN,
City Clerk.

Common Council of Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines _____

Head number of lines _____

Body number of lines 81

Tail number of lines 2

Total number of lines in notice 83

COMPUTATION OF CHARGES

83 lines, 1 columns wide equals 83 equivalent lines at 2884 cents per line \$ 23.90

Additional charge for notices containing rule or tabular work (50 per cent of above amount) _____

Charge for extra proofs of publication (50 cents for each proof in excess of two) 1.50

TOTAL AMOUNT OF CLAIM \$ 25.40

G COST

Single column 11 ems

Size of type 5 1/2 pointInsertions 2Size of quad upon which type is cast 5 1/2

on and penalties of Ch. 89, Acts 1967,

the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just of the same has been paid.

Arvilla DeWald

CLERK

Title _____

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } as:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is _____ CLERK _____ of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 times, the dates of publication being as follows:

10-23-30/75

Subscribed and sworn to before me this 30 day of October 1975

Notary Public

My commission expires September 28, 1979

Notice is hereby given that on the 14th day of October, 1975, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. 2-75-08-13 Zoning Map Ordinance, to-wit:

BILL NO. 2-75-08-13
ZONING MAP ORDINANCE
NO. 2-12-75

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. AA-12 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows, is hereby designated a R3 district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2886 and amendments thereto; and the symbols of the City of Fort Wayne Zoning Map No. AA-12, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots 520 and 521 in Fairfield Terrace Addition, Section "B" to the City of Fort Wayne, Allen County, Indiana

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

EUGENE KRAUSH

Councilman
Read the third time in full and on motion by Nuckolls, seconded by Hings, and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burris, Hings, Moses, Nuckolls, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
Kraus
Dated: 10-14-75

CHARLES W. WESTERMAN, City Clerk
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. 2-75-08-13 on the 14th day of October, 1975.

JAMES S. STIER, President Officer.
CHARLES W. WESTERMAN, City Clerk.

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of October, 1975, at the hour of 11:00 o'clock A.M., E.S.T.

CHARLES W. WESTERMAN, City Clerk
Approved and signed by me this 14th day of October, 1975, at the hour of 10:00 o'clock A.M., E.S.T.

IVAN A. LEBANOFF, Mayor
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. 2-75-08-13 passed by the Common Council on the 14th day of October, 1975, and that said Ordinance was duly signed and approved by the Mayor on the 14th day of October, 1975 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 14th day of October, 1975.

CHARLES W. WESTERMAN, City Clerk.

10-23-30

To JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

LINE COUNT

Head	number of lines
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98	98
99	99
100	100

Tail number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

83 lines, 1 column wide equals 83 equivalent lines at 288¢
cents per line

23.90

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

\$25.40

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type $5\frac{1}{2}$point

Number of insertions.....2.....

Size of quad upon which type is cast 5¹/₈.....

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Amelia De Kald

Date October 30 1975

Title _____ CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE
a DAILY newspaper of general circulation printed and published
in the English language in the city town of FORT WAYNE, INDIANA
in state and county aforesaid, and that the printed matter attached hereto is a true copy,
which was duly published in said paper for 2 times, the dates of publication being
as follows:

Subscribed and sworn to before me this 30th day of October 1975
Harry V. Omer
 Notary Public
 My commission expires September 28, 1979

[illegible]